

[Second Reprint]

SENATE, No. 700

STATE OF NEW JERSEY
218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex)

Senator SANDRA B. CUNNINGHAM

District 31 (Hudson)

SYNOPSIS

“Higher Education Citizenship Equality Act;” defines domicile for dependent students for the purpose of eligibility for State student loans, grants, and scholarships, and resident tuition rate.

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on March 13, 2018, with amendments.



1 **AN ACT** concerning higher education and supplementing chapter 62
2 and chapter 71B of Title 18A of the New Jersey Statutes.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6

7 1. This act shall be known and may be cited as the “Higher
8 Education Citizenship Equality Act.”

9

10 2. a. A dependent student shall be considered domiciled in
11 this State for the purposes of determining eligibility for a State
12 student loan, grant, or scholarship if the student meets the following
13 criteria:

14 (1) the student is a United States citizen;

15 (2) the student has resided in the State for a period of not less
16 than 12 consecutive months immediately prior to the academic
17 period for which State student assistance is being requested; and

18 (3) the student’s parent or guardian provides the Higher
19 Education Student Assistance Authority with documentation that
20 the parent or guardian has filed a New Jersey and federal income
21 tax return, or with evidence of withholding of income tax, for the
22 most recent tax year.

23 b. ²**[**A dependent student may not establish eligibility for a
24 State student loan, grant, or scholarship pursuant to subsection a. of
25 this section if the student’s parent has not lived in this State for a
26 period of at least 12 consecutive months immediately prior to the
27 initial academic period for which State student assistance is being
28 requested.

29 c. ²**]** A dependent student shall not be denied eligibility for a
30 State student loan, grant, or scholarship solely on the basis that the
31 student’s parent or guardian cannot establish domicile.

32 ²c. Any procedures and forms established by the Higher
33 Education Student Assistance Authority and the Secretary of Higher
34 Education for the purposes of this section shall not discriminate
35 against eligible students based on the immigration status or national
36 origin of the student or the student’s parent or guardian.²

37 d. Nothing in this section shall be construed to affect the
38 eligibility for a State student loan, grant, or scholarship of any
39 student who does not meet the requirements of this section but is
40 otherwise eligible for State student assistance in accordance with
41 law or regulation.

42

43 3. a. A dependent student shall be considered domiciled in
44 this State for the purposes of determining eligibility for the resident

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SHI committee amendments adopted February 8, 2018.

²Senate SBA committee amendments adopted March 13, 2018.

1 undergraduate tuition rate at a public institution of higher education
2 if the student meets the following criteria:

3 (1) the student is a United States citizen; and

4 (2) the student has resided in the State for a period of not less
5 than 12 consecutive months before first enrolling in a public
6 institution of higher education and, in the case of a county college
7 student, resides in the county sponsoring the college before first
8 enrolling at the college.

9 b. A dependent student may not establish eligibility for the
10 resident undergraduate tuition rate pursuant to subsection a. of this
11 section if the student's parent has not lived in this State for a period
12 of at least 12 consecutive months immediately prior to the student's
13 initial enrollment in a public institution of higher education.

14 c. Nothing in this section shall be construed to affect the
15 eligibility for the resident undergraduate tuition rate of any student
16 who does not meet the requirements of this section but is otherwise
17 eligible for the resident undergraduate tuition rate at a public
18 institution of higher education in accordance with law or regulation.

19

20 4. This act shall take effect immediately and shall first be
21 applicable to the determination of State student assistance ¹and
22 eligibility for the resident undergraduate tuition rate¹ for the
23 ¹**【2017-2018】** 2018-2019¹ academic year.